

To: Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: Applicant Name: Madison Metro School District  
Billed Entity Number: 133013  
Funding Year: 2016

Date: December 22, 2018

Dear Ms. Dortch:

By submitting this request, we ask the FCC to consider a reversal of an appeal denial by the SLD as described below.

Background:

Per Sections, 54.719 through 54.721 of the Commission's Rules, Madison Metro School District (MMSD) appeals a Commitment Adjustment by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator). On July 13th, 2018 the Administrator issued a Commitment Adjustment Letter citing "Failure to post a FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471"(See Attachment 1).

On September 11<sup>th</sup>, 2018, we appealed this decision (see attachment 3) to USAC School and Library Division because although the basic maintenance dropdown was not selected, the Requests for Bid (RFB) which was attached to the certified Form 470 clearly states that the School district wishes to obtain bids for the equipment and the corresponding basic maintenance. We have highlighted this the in the RFB attached. (See Attachment 2, page 7)

Additionally, the school district set forth a clear, fair and competitive bidding platform by submitting an RFB to explain in detail the equipment and services requested. Each vendor who wished to submit a bid in response to the form 470 would have had to read the RFB in its entirety to provide a complete proposal in response the Form 470 and RFB submitted for the desired equipment and services list on Form 471 161056119.

On October 25<sup>th</sup>, 2018, Madison Metro received a Revised Funding Commitment Letter, denying the appeal submitted on (See attachment 4) stating the following:

*"The FCC Form 470 that established the competitive bidding process for this FRN did not include service of this type; therefore, it does not meet the 28-day competitive bidding*

*requirement. FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into a legally binding agreement or signing a contract, and signing and submitting an FCC Form 471.”*

Request: We believe the information included, and its attachments demonstrate the districts full intent to purchase Basic Maintenance services for the equipment needed within MMSD and that each vendor who wanted to provide a proposal at that time had this information available to them. Therefore, we respectfully ask that the commission overturns its decision to adjust the commitment for Funding Request 1699131205 and do not move forth with seeking the return of any funding disbursed which will financially harm the school district.

Request:

Thank you for your consideration.

Respectfully Submitted,

Shaneka Bratton, E-Rate Central  
On behalf of Madison Metro School District  
400 Post Avenue, Suite 410  
Westbury, NY 11590  
(516)801-7806  
sbratton@e-ratecentral.com



## Commitment Adjustment Letter

Mark Anderson  
MADISON METRO SCHOOL  
DISTRICT  
545 W DAYTON ST  
MADISON, WI 53703

07/13/2018

Our review of your Schools and Libraries Universal Service Support Program (or E-rate) funding request has determined funds were committed in violation of Federal Communications Commission (FCC) rules. You have 60 days from the date of this letter to appeal the following decision(s). For more detailed information see below.

**Total commitment adjustment:** \$133,864.80

**Total amount to be recovered:** \$133,864.80

FCC Form 471	FRN	Commitment adjustment	Total amount to be recovered	Explanation(s)	Party to recover from
161056119	1699131205	\$66,932.40	\$133,864.80	Failure to post a FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471	BEN
161056119	1699131205	\$66,932.40	\$133,864.80	Failure to post a FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471	BEN

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.

### Commitment Adjustment

FCC rules require the Universal Service Administrative Company (USAC) to rescind commitments and recover funding when it is determined that funding was committed and disbursed in violation of the rules. This letter notifies you that USAC will be adjusting your funding commitment(s) and provides information on how to appeal this decision.

This is NOT a bill. If disbursed funds need to be recovered, USAC will issue a Demand Payment Letter. The debt referenced in the Demand Payment Letter will be due within 30 days of that letter's date. Failure to pay the debt may result in interest, late payment fees, and administrative charges and will invoke the FCC's "Red Light Rule."

### FCC's Red Light Rule

The FCC Red Light Rule requires USAC to dismiss pending FCC Form 471 applications, appeals, and invoices or to net disbursements offsetting the debt if the entity responsible for paying the outstanding debt owed to the FCC has not paid the debt or made satisfactory arrangements to pay the debt within 30 days of the Demand Payment Letter. For information on the Red Light Rule, see

<https://www.fcc.gov/licensing-databases/fees/debt-collection-improvement-act-implementation>.



## To Appeal This Decision

If you wish to contest any part of this letter, you must first file an appeal with USAC to seek review of the decision. Parties that have filed an appeal with USAC and received an adverse decision may, if they choose, appeal USAC's decision to the FCC. Parties seeking a waiver of a codified FCC rule should file a request for waiver directly with the FCC because USAC cannot waive FCC rules. Your appeal to USAC or waiver request to the FCC must be filed within 60 days of the date of this letter.

All appeals filed with USAC must be filed in EPC by selecting "Appeal" from the menu in the top right hand corner of your landing page and providing the requested information.

Your appeal should include the following information. (Because you file the appeal through your EPC account, the system will automatically fill in some of these components for you).

- 1) Name, address, telephone number, and email address for the contact person for this appeal.
- 2) Indicate specifically that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., Commitment Adjustment Letter) and the decision you are appealing:
  - a. Appellant name;
  - b. Applicant name and service provider name, if different from appellant;
  - c. Applicant BEN and Service Provider Identification Number (SPIN);
  - d. FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC;
  - e. "Commitment Adjustment Letter," AND the exact text or the decision that you are appealing.
- 3) Identify the problem and the reason for the appeal and explain precisely the relief sought. Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC. USAC will reply to your appeal submission to confirm receipt.

For more information on submitting an appeal to USAC including step by step instructions on how to file the appeal through EPC, please see "Appeals" in the Schools and Libraries section of the USAC website.

As mentioned, parties seeking a waiver of FCC rules or that have filed an appeal with USAC and received a decision may file a request for waiver or appeal USAC's decision to the FCC. Waiver requests or appeals to the FCC must be made within 60 days of the issuance of USAC's decision and include all of the information referenced above for appeals to USAC.

The FCC recommends filing appeals or waiver requests with the Electronic Comment Filing System (ECFS) to ensure timely filing. Electronic waiver requests or appeals will be considered filed on a business day if they are received at any time before 11:59 PM ET. If you have questions or comments about using the ECFS, please contact the FCC directly at (202) 418-0193.

For more information about submitting waiver requests or appeals to the FCC, including options to submit the waiver request or appeal via U.S. mail or hand delivery, visit the FCC's website.

Schools and Libraries Division



## Adjustment Report

FCC Form 471 Application Number:	161056119
Funding Request Number:	1699131205
Commitment Adjustment:	\$66,932.40
Total Amount to Be Recovered:	\$133,864.80
Explanation(s):	Failure to post a FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471
Party to Recover From:	BEN
Funding Year:	2016
Billed Entity Number:	133013
Services Ordered:	Basic Maintenance of Internal Connections
Service Provider Name:	Goldfield Telecom
SPIN:	143044199
Original Funding Commitment:	\$66,932.40
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$66,932.40

## Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full and we are seeking recovery of disbursed funds. FCC Form 470 did not include the service(s) for which funding was sought in the FCC Form 471 application, which is a violation of the FCC's competitive bidding rules. The applicant does not have a 470 that posts for Basic Maintenance of Internal Connections. FCC rules require that, except under limited circumstances, all eligible schools and libraries shall seek competitive bids for all services eligible for support by submitting a complete FCC Form 470 to USAC web site for potential service providers to evaluate. Since the services for which you sought funding were not properly posted to the website for competitive bidding, the commitment has been rescinded in full and USAC will seek recovery of \$66,932.40 in disbursed funds from the applicant.



## Adjustment Report

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Funding Request Number:	1699131205
Commitment Adjustment:	\$66,932.40
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## ADMINISTRATIVE SERVICES

4711 Pflaum Rd. Madison, Wisconsin 53718-6765 608.663.5931 https://admsvcweb.madison.k12.wi.us

Mick Howen, Director

Jennifer Cheatham, Ed.D., Superintendent of Schools

# REQUEST FOR BID

## For Wide Area Network (WAN)

### Upgrade to 10Gbps

THIS IS NOT AN ORDER

VENDOR/BIDDER NAME &amp; ADDRESS

BID NUMBER: 3323

ISSUE DATE: March 1, 2016

DUE DATE: March 29, 2016 - 2:00 PM (CST)

IF NOT BIDDING, please check here ☐ and return this cover page only.

Conditions of bid which include the "shall" or "must" describe a mandatory requirement. All specifications are defined as mandatory minimum requirements unless otherwise stated. If no bidder is able to comply with a given specification, condition of bid or provide a specific product on the Itemized Bid List, the MMSD reserves the right to delete that specification, condition of bid or item.

Unless otherwise noted, names of all organizations submitting bids will be publicly available after the date and time specified as the deadline for submitting bids. Bid abstract will be open to public inspection after award(s).

Revisions to this request for bid, including due date, may be made by an official written amendment issued by Purchasing Services.

Correspondence must reference the request for bid number.

**BID SUBMISSION:** All bids (**ONE original AND THREE additional copies** of all documentation/materials) may be submitted via US mail, hand delivery or a delivery service and must be **received** by Administrative Services at the above address. Bids not date/time stamped by Administrative Services staff by the posted date and time shall be considered late and **shall be rejected**.

Any entity submitting a bid has no enforceable right to amend its bid after the submission deadline.

The MMSD is exempt from Federal Excise and Wisconsin State Sales tax.

The Madison Metropolitan School District, **Technical Services**, requests bids for the **Wide Area Network (WAN) Upgrade to 10Gbps** in accordance with the information listed below (more detailed descriptions may be attached to this document). Special Conditions of Bid, Specifications, Itemized Bid List, and Standard Terms and Conditions are contained herein. Questions/inquiries **MUST** be sent to **Mick Howen, Director of Administrative Services**, at [mjhowen@madison.k12.wi.us](mailto:mjhowen@madison.k12.wi.us) in accordance with instruction provided within this document. To formally submit your bid for consideration, simply provide the information required below, sign, and return this document with all other required documentation in accordance with the guidelines established herein.

## ITEMIZED BID LIST

ITEM	QUANTITY	DESCRIPTION		UNIT PRICE	TOTAL PRICE
		See Pages 5 through 9 for full bid specifications. For the sake of this Request for Bid process, please do not use this area to provide any information.			

By signing this bid, we certify that we have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition; that no attempt has been made to induce any other person or firm to submit or not to submit a bid; that this bid has been independently arrived at without collusion with any other bid competitor or potential competitor; that this bid has not been knowingly disclosed prior to the opening of bids to any other bidder or competitor; that the above statement is accurate under penalty of perjury.

The undersigned states that he/she is authorized to bind the bidder and on its behalf, hereby agrees with all the terms, conditions, and specifications required by the Madison Metropolitan School District in this Request for Bid, and declares that the attached bid and pricing are in conformity therewith.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TYPE or PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

FEIN or TAX ID NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

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## 1. Required Forms

The following forms must be completed and submitted with the bid. Blank forms are attached.

- 1.1**      Cover Page (Sign and complete Request for Bid cover page)
- 1.2**      Attachment A      Bid Specification Page
- 1.3**      Attachment B      Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- 1.4**      Attachment F      WAN Upgrade Vendor Cost Detail
- 1.5**      Appendix A      Affirmative Action Requirements for Contractors and Vendors
- 1.6**      Appendix B      Equal Employment Opportunity / Affirmative Action Employer Identification Report
- 1.7**      Appendix C      Affirmative Action & Equal Employment Opportunity Policy Statement

# Standard Terms and Conditions (Non-Construction)

**1. GENERAL:** “Madison Metropolitan School District,” “District,” and “MMSD” are synonymous and mean the Madison Metropolitan School District. The MMSD reserves the right to accept or reject any or all bids/proposals, to waive any informality or technicality in any bid/proposal submitted, and to accept any part of a bid/proposal deemed to be in the best interest of the District. The MMSD reserves the right to reject any or all bids/proposals without indicating a reason for such rejection.

**2. TAX EXEMPTION:** The MMSD is exempt from the payment of Federal Excise Tax and State Sales Tax. The MMSD’s tax-exempt number is ES42341.

**3. PRICING AND DISCOUNTS:** The MMSD qualifies for governmental and educational discounts. Unit prices shall reflect these discounts. Unit prices shall govern in the bid/proposal evaluation and contract administration.

**4. SPECIFICATIONS:** All bidders/proposers must be in compliance with all specifications and any drawings provided with this solicitation. Any reference to brand names and numbers is descriptive, but not restrictive, unless otherwise specified. When specific manufacturer and model numbers are shown, they are used to establish a design, type of construction, quality, functional capability and/or performance level desired. The MMSD reserves the right to determine whether an alternate offer is equivalent to and meets the standard of quality indicated by the brand name referenced. When alternates are bid/proposed, they shall be identified by manufacturer, stock number, and such other information necessary to establish equivalency. The MMSD shall be the sole judge of equivalency!

**5. DEVIATIONS AND EXCEPTIONS:** Deviations and exceptions from the original text, terms, conditions, or specifications shall be described fully, on the bidder’s/proposer’s letterhead, signed and attached to this request. In the absence of such a request, the bid/proposal shall be accepted as in strict compliance with all terms, conditions, and specifications.

**6. CHANGES AND WITHDRAWALS:** The MMSD reserves the right to change due dates and openings for its own convenience and to withdraw solicitations at any time without prior notice.

**7. APPLICABLE LAW:** This solicitation and any resultant contract shall be governed under the laws of the State of Wisconsin.

**8. ASSIGNMENT:** No right or duty in whole or in part of the contractor under this contract may be assigned or delegated without prior written consent of the MMSD.

**9. HOLD HARMLESS:** The contractor will indemnify, save harmless, and defend the MMSD and all of its officers, agents and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the contractor, or any of its contractors, in prosecuting work under this agreement.

**10. PUBLIC RECORDS ACCESS:** It is the intention of the MMSD to maintain an open and public process in the solicitation, submission, review and approval of procurement activities. Bid/proposal openings are public unless otherwise stated. Records are not generally available until after an award has been made.

**11. INSURANCE RESPONSIBILITY:** The contractor performing services for the MMSD shall:

Maintain worker’s compensation insurance as required by law for all employees engaged in the work.

Maintain commercial liability, bodily injury and property damage insurance against any claims(s) that might occur in carrying out this agreement/contract. Minimum coverage shall be **one million (\$1,000,000)** liability for bodily injury and property damage including product liability and completed operations. Provide motor vehicle insurance for all owned, non-owned and hired vehicles that are used in carrying out this contract. Minimum coverage shall be **one million (\$1,000,000)** per occurrence combined single limit for automobile liability and property damage.

The MMSD reserves the right to require higher or lower limits and additional types of insurance if warranted. All insurance required by this contract shall be maintained during the entire length of the contract.

**12. CANCELLATION:** The MMSD reserves the right to cancel any contract in whole or in part without penalty due to non-appropriation of funds or for failure of the contractor to comply with terms, conditions and specifications of this contract.

The MMSD also reserves the right to cancel any contract with a federally debarred contractor or a contractor which is presently identified on the list of parties excluded from federal procurement and non-procurement contracts.

**13. SAFETY REQUIREMENTS:** All materials, equipment, and supplies provided to the MMSD must comply fully with all safety requirements as set forth by the Wisconsin Administrative Code, Rules of the Industrial Commission on Safety, and all applicable OSHA Standards.

**14. MATERIAL SAFETY DATA SHEETS:** If any item(s) on order(s) resulting from this award(s) is a hazardous chemical, as defined under 29CFR 1910.1200, provide one (1) copy of a Material Safety Data Sheet for each item with the shipped container(s) and one (1) copy to MMSD - Risk Management, 4711 Pflaum Road, Madison, WI 53718-6721.

**15. RESPONSIVENESS AND RESPONSIBILITY:** Award will be made to the responsible and responsive bidder/proposer whose bid is most advantageous to the MMSD with price and other factors considered. For the purposes of this project, responsiveness is defined as conformance to the requirements of the solicitation and the furnishing of information requested.

Responsibility is defined as the bidder's/proposer's potential ability to perform successfully under the terms of the proposed contract. Briefly, a responsible bidder/proposer has adequate financial resources or the ability to obtain said resources; can comply with required delivery taking into account other business commitments; has a satisfactory performance record; has a satisfactory record of integrity and business ethics; and has the necessary organization, experience and technical skills.

The MMSD reserves the right to refuse to accept any bid or proposal from any person, firm or corporation that is in arrears or is in default to the MMSD, or has failed to perform faithfully any previous contract with the MMSD. If requested, the bidder must present within five (5) working days evidence satisfactory to the MMSD of performance ability and possession of necessary facilities, financial resources, adequate insurance, and any other resources required to determine the bidder's ability to comply with the terms of this solicitation document.

**16. WARRANTY:** Unless otherwise required equipment purchased as a result of this request shall be warranted against defects by the bidder/proposer for one year from the date of receipt. Equipment manufacturer's standard warranty shall apply as a minimum and shall be honored by the Contractor.

**17. QUANTITIES:** The quantities shown on this request are based on estimated needs. The MMSD reserves the right to increase or decrease quantities to meet actual needs.

**18. QUALITY:** Unless indicated in the request, all material shall be first quality. Items which are used, demonstrators, obsolete, seconds, or which have been discontinued are unacceptable without the prior written consent of the MMSD.

**19. AWARD CRITERIA:** In comparing bids/proposals and making awards, the MMSD may consider such factors as relative quality and adaptability of supplies and services, bidder/proposer financial responsibility, skill, experience, record of integrity, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, contract compliance requirements, and any other element or factor in addition to that of the price which would affect the final cost to the MMSD and whether the bidder has complied with the specifications.

**20. AWARD:** Award(s) will be made, as determined by the MMSD, to the lowest responsive and responsible bidder/proposer meeting MMSD award criteria.

**21. ENTIRE AGREEMENT:** These Standard Terms and Conditions shall apply to any contract or order awarded as a result of this request except where special conditions are stated elsewhere in the request; in such cases, the special conditions shall apply. Further, the written contract and/or order with referenced parts and attachments including these Standard Terms and Conditions shall constitute the entire agreement and no other terms and conditions in any document, acceptance, or acknowledgement shall be effective or binding unless expressly agreed to in writing by the MMSD.

## Attachment A – Bid Specifications

### Wide Area Network (WAN) Upgrade to 10Gbps

#### Project Summary

The Madison Metropolitan School District (MMSD) Technical Services department is planning to upgrade broadband connectivity to each District site over the Wide Area Network to 10Gbps. The MMSD WAN is part of the Metropolitan Unified Fiber Network (MUFN). Currently the majority of District buildings/sites are connected over MUFN via fiber. Seven District sites are not connected to MUFN. These seven sites are connected via leased lines through TDS and AT&T.

Each MUFN site shares a pair of fiber with four to eleven other sites per the WAN layout in Attachment C. The sites on a leg of the WAN share 1Gbps of bandwidth. The WAN connections collapse back to NOC 1 in the main administration building at 545 W Dayton Street Madison, WI. All sites have access to District resources in NOC 1 at the Dayton Street location and are connected to the Internet through WiscNet, the District's ISP. Currently the WiscNet connection is 20Gbps.

#### Questions/Inquiries and Vendor Conference

Prior to Month Day, Year at 2:00pm (CST), any questions/inquiries must be sent to Mick Howen, Director of Administrative Services, at [mjhowen@madison.k12.wi.us](mailto:mjhowen@madison.k12.wi.us). A vendor conference could be held on Month Day, Year at Time in Location to respond to written questions/inquiries and to provide any needed additional instruction to vendors on the submission of bids. Shortly thereafter, the question/inquiry and response document will be posted on MMSD's website along with this original documentation. If no questions are received or it is deemed unnecessary by MMSD, we reserve the right to cancel the vendor conference. All vendors who intend to respond to the Request for Bid (RFB) are encouraged to attend.

#### WAN Design

The basic design of the 10Gbps WAN is to add a new core switch in the MDF at each building. The core switch will have 10Gbps optics installed. Each IDF will be upgraded to increase the bandwidth to each closet via fiber to 10Gbps.

In order to manage the connections for each site as separate from the other sites sharing the pair of fiber, Passive DWDM Multiplexers/Demultiplexers (MUX/DEMUX) will be installed. Each building on the WAN will be assigned a Channel on a MUX using Dense Wavelength Division Multiplexing (DWDM). DWDM multiplies the amount of bandwidth that a single strand of fiber can support. Each site will use a separate channel using the MUX/DEMUX protocol. In addition to a site connecting to the shared network fiber using its assigned DWDM channel in both directions, it will also have a 1310nm connection in both directions. The 1310nm connection will provide for a 1Gbps transport rate to provide constant access when the 10Gbps system is down in either direction. See Attachment D for the design of the network.

A redundant path has been designed for each site in the event that the main path is down. In case of an outage on the main path flow of traffic will be reversed using the same MUX channel for each site. Once the main path has been restored the traffic flow will return to the primary path.

#### Equipment Specifications

A list of equipment for this project is located in Attachment E. Any questions about the equipment should be e-mailed to Mick Howen at [mjhowen@madison.k12.wi.us](mailto:mjhowen@madison.k12.wi.us). Questions and inquiries must be submitted in writing through email correspondence as indicated within this documentation and will not be taken verbally by phone or in person.

## Equipment Price and Warranty Quotations

Quotes for Cisco switches and SMARTnet must be separate from other non Cisco equipment. Include sixty month SMARTnet costs for the specified Cisco switches. All other devices should be included in a separate quote for other equipment. **Any maintenance costs for other equipment should be listed as a separate line item with the length of sixty months.**

MMSD considers this a “level playing field” Request for Bid process. No vendor will have any advantage provided through MMSD for pricing of any product.

## E-Rate Requirements

This RFB is being submitted as part of the E-Rate Category 2 funding process for the 2016-17 funding cycle. Any vendor responding to this RFB must have a Service Provider Identification Number (SPIN) from the SLD. Provide the SPIN number on your response to the RFB.

MMSD will file a BEAR Form 472 for a direct reimbursement from the SLD.

All equipment will be ordered in June/July 2016. Receipt and invoicing must be after July 1, 2016 per the requirements of the E-Rate program to coincide with the 2016-17 E-Rate funding year.

Vendor price quotations must be valid until July 10, 2016.

## E-Rate Funding Response and Effect on the Order

The District reserves the right to exclude from the final order any equipment that has been quoted that may be excluded by the Schools and Libraries Division as part of the Form 471 review process. The selected vendor will be apprised of any changes in the order before the order is placed.

## Ordering Information

All orders will be placed between June 15, 2016 and July 10, 2016.

## RFB Rating Matrix

RFB Component	Points
Price of Eligible Products	50
Prior Experience with the Vendor	20
Flexible Invoicing: FCC Form 472	15
Local or in-state vendor	15
<b>TOTAL</b>	<b>100</b>

## Attach Excel Workbook (Spreadsheets)

The following is provided as an example and can be used. In addition, please complete the attached Excel workbook with four separate spreadsheets or tabs (**Attachment F**) with complete cost information as well as your company information. Besides completing the attached spreadsheets, vendors may provide another quote using their preferred format.

## Cost Detail – Examples

### Cisco Equipment:

Quantity	Model	Unit Cost	Total
4	WS-C3850-24XS-E (dual power supply)	\$0.00	\$0.00
2	WS-C3850-24XS-S (dual power supply)	\$0.00	\$0.00
3	WS-C3850-16XS-E (dual power supply)	\$0.00	\$0.00
20	WS-C3850-24T-E (dual power supply)	\$0.00	\$0.00
21	WS-C3850-48T-E (dual power supply)	\$0.00	\$0.00
6	WS-C3850-24T-S (dual power supply)	\$0.00	\$0.00
12	WS-C3850-48T-S (dual power supply)	\$0.00	\$0.00
1	WS-C3850-24P-E (dual power supply)	\$0.00	\$0.00
15	WS-C2960X-48TS-L	\$0.00	\$0.00
41	Switch Module C3850-NM-2-10G	\$0.00	\$0.00
17	Switch Module C3850-NM-4-10G	\$0.00	\$0.00
11	Switch Module C3KX-NM-10G	\$0.00	\$0.00
	<b>Total</b>		<b>\$0.00</b>

### Cisco SMARTnet - 60 Months, 8x5, NBD on the following models:

Quantity	Model	Unit Cost	Total
1	WS-C3850-24XS-E	\$0.00	\$0.00
1	WS-C3850-24T-E	\$0.00	\$0.00
1	WS-C3850-24P-E	\$0.00	\$0.00
1	WS-C2960X-48TS-L	\$0.00	\$0.00
	<b>Total</b>		<b>\$0.00</b>

**Optics:**

Quantity	Description *	Unit Cost	Total
30	SFP+ 80km Ch59 **	\$0.00	\$0.00
30	SFP+ 80km Ch58 **	\$0.00	\$0.00
30	SFP+ 80km Ch57 **	\$0.00	\$0.00
30	SFP+ 80km Ch56 **	\$0.00	\$0.00
30	SFP+ 80km Ch55 **	\$0.00	\$0.00
19	SFP+ 80km Ch54 **	\$0.00	\$0.00
9	SFP+ 80km Ch53 **	\$0.00	\$0.00
9	SFP+ 80km Ch52 **	\$0.00	\$0.00
8	SFP 40km 1310nm ***	\$0.00	\$0.00
2	SFP+ 10Gbase-LRM ****	\$0.00	\$0.00
60	SFP+ 10Gbase-SR *****	\$0.00	\$0.00
	<b>Total</b>		<b>\$0.00</b>

\* Required: Cisco compatible, and need Digital Optical Monitoring interface (DOM) for monitoring light levels

\*\* Equal to ModuleTek MT6015 (Attachment G)

\*\*\* Equal to ModuleTek MT1048 (Attachment H)

\*\*\*\* Equal to ModuleTek MT6002 (Attachment I)

\*\*\*\*\* Equal to ModuleTek MT6001 (Attachment J)

**Multiplexer/Demultiplexer (MUX/DEMUX) Passive DWDM:**

Quantity	Description *	Unit Cost	Total
14	8ch DWDM MUX (59-52) add / drop MUX with 1% monitor port **	\$0.00	\$0.00
10	1310, Ch59 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
10	1310, Ch58 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
10	1310, Ch57 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
10	1310, Ch56 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
10	1310, Ch55 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
4	1310, Ch54 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
2	1310, Ch53 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
2	1310, Ch52 OADM east/west add / drop MUX with 1% monitor port **	\$0.00	\$0.00
	<b>Total</b>		<b>\$0.00</b>

\* All MUXes should have LC/UPC connectors. Size 1U

\*\* 1% Monitor port denotes a 1% optical tap on the network line side

**Attenuators:**

Quantity	Description *	Unit Cost	Total
20	ATN-A10-10	\$0.00	\$0.00
20	ATN-A10-05	\$0.00	\$0.00
	<b>Total</b>		<b>\$0.00</b>

\* Equal to Corning ATN-A10-10 (LC UPC, 10dB) and ATN-A10-05 (LC UPC, 5dB) Attenuators

Attachment K and L



## Attachment B – Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

### MADISON METROPOLITAN SCHOOL DISTRICT

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

**Federal Executive Order (E.O.) 12549 “Debarment and Suspension” requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.**

Your signature certifies that neither you nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Company  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_  
EMAIL \_\_\_\_\_

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Date

## Attachment C – MMSD 10Gbps WAN Layout

**See attached file entitled Attachment C  
– MMSD 10Gbps WAN Layout**

## Attachment D – MMSD 10Gbps WAN Design

**See attached file entitled Attachment D  
– MMSD 10Gbps WAN Design**

## Attachment E – MMSD List of Equipment

**See attached Workbook entitled Attachment E  
– MMSD List of Equipment**

## Attachment F – WAN Upgrade Vendor Cost Detail

**See attached Workbook entitled Attachment F  
– WAN Upgrade Vendor Cost Detail**

Attachment G – MT6015 Specs ModuleTek

**See attached document entitled Attachment G  
– MT6015 Specs ModuleTek**

Attachment H – MT1048 Specs ModuleTek

**See attached document entitled Attachment H  
– MT1048 Specs ModuleTek**

Attachment I – MT6002 Specs ModuleTek

**See attached document entitled Attachment I  
– MT6002 Specs ModuleTek**



Attachment J – MT6001 Specs ModuleTek

**See attached document entitled Attachment J  
– MT6001 Specs ModuleTek**

Attachment K – Corning Attenuator A10-10

**See attached document entitled Attachment K  
– Corning Attenuator A10-10**

Attachment L – Corning Attenuator A10-05

**See attached document entitled Attachment L  
– Corning Attenuator A10-05**

## Appendix A – Affirmative Action Requirements for Contractors and Vendors

### 1. VENDOR NOTIFICATION:

The Board of Education of the Madison Metropolitan School District is committed to fair and equal employment opportunities for all persons. Equal opportunities, policies and procedures govern the hiring of District staff. By this policy, the Board requires contractors and vendors to adopt and implement similar policies as a condition of doing business with the District.

Vendors/contractors, **not exempt**, shall indicate (1) with what agency their Affirmative Action Plan is on file, (2) whether or not the Plan is certified, and (3) whether the employment goal(s) stated in the Plan has/have been achieved. If the vendor/contractor has not met each of the above stated requirements, the vendor/contractor must sign and adopt the District's Affirmative Action & Equal Opportunity Policy Statement (Appendix C); and complete the Employer's Information Report (Appendix B); and submit a copy of vendor/contractor's Affirmative Action Plan. In addition the completed Affirmative Action Requirements for Contractors and Vendors Form (Appendix A) should be submitted with the bid or proposal.

Vendors/contractors are **exempt** from these requirements if they meet one or more of the following criteria: (1) the vendor employs 15 or fewer employees; (2) the vendor's **aggregate** business with the District in the last fiscal year is \$25,000 or less; (3) the vendor is a taxing authority, municipality, the University of Wisconsin System or the State of Wisconsin; (4) the contractor is an organization which ordinarily provides, and is proposing to provide to the District, financial, legal, insurance, utility, or medical services; and/or (5) the contractor is a non-profit business that can provide the District proof of its IRS designation of tax-exempt status.

If needed, assistance is available through the District including what constitutes a good faith effort. Technical assistance regarding contract compliance issues can be obtained from Eric Kestin, Contract Compliance Officer, at (608) 663-1530 or (608) 204-0348 (Fax).

The complete Board Of Education Policy 6600, Affirmative Action Requirements for Vendors and Contractors, is available on the Internet at <http://boeweb.madison.k12.wi.us/policies/6600>.

### 2. VENDOR RESPONSE:

\_\_\_\_\_ I am an exempt vendor by reason of \_\_\_\_\_;  
therefore, the following does not apply.

\_\_\_\_\_ I am a **non-exempt** vendor and have answered accordingly below:

I have an Affirmative Action Plan on file with \_\_\_\_\_

My Plan is certified with \_\_\_\_\_

\_\_\_\_ Yes      \_\_\_\_ No      The employment goals in the plan have been achieved.

**Please submit a copy of your Affirmative Action Plan with your bid/proposal.**

If a non-exempt vendor has not met each of the above requirements, the vendor must complete the Employer's Information Report (Appendix B); sign and adopt the District's Affirmative Action & Equal Opportunity Policy Statement (Appendix C); and submit a copy of its Affirmative Action Plan.

# Appendix B – Equal Employment Opportunity/Affirmative Action Employer Information Report

## Madison Metropolitan School District

### Equal Employment Opportunity/Affirmative Action

#### EMPLOYER INFORMATION REPORT

##### Workforce Utilization Profile

Job Categories											
	Overall Totals (Sum of Columns B-K)	Male					Female				
		White (Not Hispanic)	Black (Not Hispanic)	Hispanic	Asian/ Pacific Islander	American Indian/ Alaskan Native	White (Not Hispanic)	Black (Not Hispanic)	Hispanic	Asian/ Pacific Islander	American Indian/ Alaskan Native
	A	B	C	D	E	F	G	H	I	J	K
Officials & Managers											
Professionals											
Technicians											
Sales Occupations											
Clerical and Administrative Support											
Craft Workers											
Operatives											
Laborers, Helpers, Material Handlers											
Service Workers											
<b>Total</b>											
Number of Employees, by race and gender, employed within the Madison School District geographic area.											
<b>Total</b>											

**Madison Metropolitan School District  
Equal Employment Opportunity/Affirmative Action -- Employer Information Report**

NAME OF COMPANY/ORGANIZATION	ADDRESS	CITY, STATE AND ZIP CODE
CONTACT PERSON/NAME & TITLE	AREA CODE & TELEPHONE NUMBER	AREA CODE & FACSIMILE NUMBER
NAME OF PARENT OR AFFILIATED COMPANY	ADDRESS	CITY, STATE AND ZIP CODE
CONTACT PERSON/NAME & TITLE	AREA CODE & TELEPHONE NUMBER	AREA CODE & FACSIMILE NUMBER

**ESTABLISHMENT INFORMATION**

HOW WAS THE INFORMATION ON RACE OR ETHNIC GROUP OBTAINED?    ☐ VISUAL SURVEY    ☐ EMPLOYMENT RECORDS    ☐ OTHER --SPECIFY: \_\_\_\_\_

DATES OR PERIOD USED: \_\_\_\_\_ DOES THE ESTABLISHMENT EMPLOY APPRENTICES?    ☐ YES    ☐ NO

IS THE LOCATION THE SAME AS LAST YEAR?    ☐ YES    ☐ NO PREVIOUS REPORT DATE: \_\_\_\_\_ NO PREVIOUS REPORT    ☐

BUSINESS TYPE: *(DESCRIPTION OF THE MAJOR ACTIVITY OF THIS ESTABLISHMENT, INCLUDING THE SPECIFIC TYPE OF PRODUCT OR SERVICE PROVIDED.)*

\_\_\_\_\_

\_\_\_\_\_

THIS ORGANIZATION HAS A CURRENT AFFIRMATIVE ACTION PLAN ON FILE WITH:    ☐ STATE OF WISCONSIN    ☐ DANE COUNTY    ☐ CITY OF MADISON

☐ U. S. GOVERNMENT (SPECIFY AGENCY: \_\_\_\_\_)    ☐ OTHER (SPECIFY: \_\_\_\_\_)

**CERTIFICATION**

1. THE CONTRACTOR OR VENDOR CERTIFIES THAT THE INFORMATION CONTAINED IN THIS EMPLOYER INFORMATION REPORT IS ACCURATE.
2. THE CONTRACTOR OR VENDOR HAS AGREED THAT, AS PROVIDED IN THE CONTRACT OR PURCHASE ORDER, IF NOT EXEMPT, WITHIN TEN DAYS AFTER THE EFFECTIVE DATE OF MADISON METROPOLITAN SCHOOL DISTRICT CONTRACTS OR PURCHASE ORDERS, THAT IT WILL COMPLETE AND PROVIDE THE ABOVE INFORMATION AND EITHER AN APPROVED AFFIRMATIVE ACTION PLAN OR AN AFFIRMATIVE ACTION POLICY STATEMENT THAT MEETS THE DISTRICT'S RECOMMENDED FORMAT.
3. THE CONTRACTOR OR VENDOR FURTHER AGREES THAT, AS PROVIDED IN THE CONTRACT OR PURCHASE ORDER, FOR THE DURATION OF THIS OR SUBSEQUENT CONTRACTS WITH THE DISTRICT, ACCURATE AND TIMELY INFORMATION WILL BE FILED ON AN ANNUAL BASIS.

Date Completed: \_\_\_\_\_ Completed By: \_\_\_\_\_

## Appendix C – Affirmative Action & Equal Employment Opportunity Policy Statement

### **Statement of Commitment**

As an employer, this company welcomes the opportunity to affirm our continuing policy to provide equal employment or advancement opportunity and to dedicate ourselves to establishing a work environment which is free from discrimination.

### **Equal Employment Opportunity**

It is the policy of this company that all employees and applicants for employment are guaranteed equality of employment opportunity. Essentially, this means that, as an employer, we will not discriminate against any worker or job applicant on the basis of race, color, religion, gender, age, national origin, ability status or veteran status.

Recruitment, selection, placement, transfer, promotion, reinstatement, training and education, tuition assistance, compensation, benefits and layoff decisions made by the supervisors or managers of this company will be based upon the job-related qualifications and abilities of candidates. In some cases, seniority may be treated as a factor to be considered in the selection process. Employees who apply for a promotion or transfer will be given equal consideration.

It is our policy that supervisors shall be made aware that they must use only objective, job-related criteria when selecting workers for any employment-related action, including hiring, training, promotions and terminations. They also shall be informed that certain types of pre-employment inquiries may lead to problems when interviewing candidates for positions.

All other personnel policies and practices of this company, including compensation, benefits, discipline, safety and health programs, as well as other activities, will be administered and conducted without regard to an individual's race, color, religion, gender, age, national origin, ability status or veteran status.

To the extent possible, reasonable accommodation shall be made for religious needs and for individuals with ability challenges.

As an employer, we will continually review our personnel practices and procedures to ensure that all supervisors and managers are adhering to our commitment to Equal Employment Opportunity principles.

#### **Affirmative Action**

As an employer, it is our policy to utilize Affirmative Action as a tool to ensure Equal Employment Opportunity.

\_\_\_\_\_ has been designated as the Affirmative Action Officer and shall maintain responsibility for establishing, monitoring and evaluating our Affirmative Action efforts at all company establishments.

Our commitment to Affirmative Action means that we will do more than examine our policies and procedures to ensure against discrimination on the basis of race, color, religion, gender or national origin.

We will make a good faith effort to provide hiring opportunities for minorities and women.

- A. In order to demonstrate that we will make a good faith effort in a timely manner as determined by the MMSD, we will properly analyze appropriate job classifications within the organization to determine if women or minorities are being underutilized (i.e., if fewer minorities or women are employed in a particular job classification than would be expected by their availability in the labor market area). (Seek technical assistance from the District's Contract Compliance Officer if you do not know how to properly analyze the job classifications or if you are not sure which job classifications are appropriate).
- B. In order to demonstrate that we will make a good faith effort after such analysis, if there is an under-representation of minorities or women in any job classification we will in a timely manner as determined by the MMSD:

1. Develop realistic goals for the employment of women and minorities who are underrepresented in such job classifications.
2. Develop a timetable for achieving the goals.
3.
  - a) Develop a written recruitment activity plan which is a detailed strategy that outlines specific steps that will be taken to attract minorities and women in the appropriate job classifications in which minorities and women are underrepresented and
  - b) Implement the written recruitment activity plan at a minimum by:
    - i) Prominently displaying on your bulletin boards or in common areas the fact that you are an equal opportunity employer.
    - ii) Minorities are underrepresented in certain job classifications, for each vacancy in such job classification place an advertisement in a media outlet that caters to minorities. Such advertisement should describe the job and indicate that the vendor is an equal opportunity employer and that minorities are encouraged to apply.
    - iii) If women are underrepresented in certain job classifications, for each vacancy in such job classification place an advertisement in a media outlet that caters to women. Such advertisement should describe the job and indicate that the vendor is an equal opportunity employer and that women are encouraged to apply.
    - iv) If minorities are underrepresented in certain job classifications, correspond in writing to local advocacy agencies such as community-based organizations, minority trade unions, etc., that you have job vacancies in job classifications for which minorities are underrepresented, describe the job and indicate that you are an equal opportunity employer and that minorities are encouraged to apply.
    - v) If women are underrepresented in certain job classifications, correspond in writing to local advocacy agencies such as community-based organizations, local trade unions, etc., that you have job vacancies in job classifications for which women are underrepresented, describe the job, indicate that you are an equal opportunity employer and that women are encouraged to apply.
    - vi) Write a letter encouraging current racial/ethnic minorities and women employees to assist in the recruitment of prospective racial/ethnic minorities and women employees.
    - vii) Ensure that all job descriptions reflect actual job duties and are job related.
    - viii) Have a written discrimination complaint procedure in place that is publicized to all employees.
    - ix) Review all hiring policies and practices to ensure that they are non-discriminatory.
    - x) Hire, where possible, minorities and women in job classifications in which they are underrepresented.



It is our expectation that all employees shall demonstrate respect for and awareness of the diversity of all our employees and model our corporate commitment to diversity.

### **EEO/AA Communication**

This Affirmative Action and Equal Employment Opportunity Policy Statement shall be communicated to all supervisors and managers. It shall also be posted conspicuously (on company bulletin boards or common areas) and in areas where applicants are typically screened, interviewed and tested. The intent of this communication of the Policy Statement is that all of the company's employees are alerted and that job applicants are informed of our commitment. It is also the company's intent to include this Policy Statement in employee handbooks or orientation literature and to keep employees informed of Policy Statement changes or updates.

The terms "Equal Opportunity Employer" shall be utilized in recruitment advertisements and literature.

### **EEO Complaint Handling Procedures**

It is this company's policy to regularly inform employees that the organization's dispute resolution system is available for handling discrimination complaints or problems. Employees who have Equal Employment Opportunity-related questions, problems or complaints should first communicate their concern to their immediate supervisor. If they are dissatisfied with the supervisor's handling of the matter, they may pursue their complaint in the company's formal dispute resolution procedure.

All complaints will be handled fairly and expediently. No employee shall suffer reprisals for seeking resolution of a problem through the procedure.

### **Disqualification**

As a condition of being awarded contracts for goods and services the District needs in the future, it is understood that by signing this Statement, the vendor agrees that the District may disqualify the vendor from being awarded such contracts, if it is determined by the District that no good faith effort was made in that the vendor cannot demonstrate to the District's satisfaction that it has in a timely manner as determined by the MMSD:

1. Properly analyzed appropriate job classifications within the organization to determine if women or minorities are being underrepresented.
2. Developed realistic goals for the employment of women and minorities who are underrepresented in such job classifications.
3. Developed a timetable for achieving the goals.
4.
  - a) Developed a written recruitment activity plan which is a detailed strategy that outlines specific steps that will be taken to attract minorities and women in the appropriate job classifications in which minorities and women are underrepresented and
  - b) Implemented the written recruitment activity plan at a minimum by having:
    - i) Prominently displayed on your bulletin boards or in common areas the fact that you are an equal opportunity employer.
    - ii) (If minorities are underrepresented in certain job classifications, for each vacancy in such job classification) placed an advertisement in a media outlet that caters to minorities and that the advertisement described the job and indicated that the vendor is an equal opportunity employer and that minorities are encouraged to apply.

- iii) (If women are underrepresented in certain job classifications for each vacancy in such job classification) placed an advertisement in a media outlet that caters to women and that the advertisement described the job and indicated that the vendor is an equal opportunity employer and that women are encouraged to apply.
- iv) (If minorities are underrepresented in certain job classifications) corresponded in writing with local advocacy agencies such as community-based organizations, minority trade unions, etc., that you have job vacancies in job classifications for which minorities are underrepresented, described the job and indicated that you are an equal opportunity employer and that minorities are encouraged to apply.
- v) (If women are underrepresented in certain job classifications) corresponded in writing with local advocacy agencies such as community-based organizations, local trade unions, etc., that you have job vacancies in job classifications for which women are underrepresented, described the job, indicated that you are an equal opportunity employer and that women are encouraged to apply.
- vi) Written a letter encouraging current racial/ethnic minorities and women employees to assist in the recruitment of prospective racial/ethnic minorities and women employees.
- vii) Reviewed all job descriptions to ensure that they reflect actual job duties and are job related.
- viii) Created a written discrimination complaint procedure that is publicized to all employees.
- ix) Reviewed all hiring policies and practices to ensure that they are non-discriminatory.
- x) Hired, where possible, minorities and women in job classifications in which they are underrepresented.

Vendors shall maintain and submit records at the request of the District for the purposes of the District, among other things, determining if the vendor has made a good faith effort. The District may disqualify a vendor from being awarded a contract if the vendor fails to maintain or provide the information requested by the District.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Location Address, Telephone Number

\_\_\_\_\_  
CEO's Typed Name & Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Human Resource Officer or Affirmative Action Officer's Typed Name & Title

\_\_\_\_\_  
Signature

## 2016 - Madison COMAD Appeal - #122210

[Summary](#) [Associated FRNs](#) [News](#) [Related Actions](#)

In-Review

Outreach

Wave Ready

Committed

## Appeal Information

[View Status \(-\)](#)

**Status** USAC issued a revised funding decision on 10/25/2018. Check your Newsfeed for the decision.

**Funding Year** 2016

**Submitting Organization** [MADISON METRO SCHOOL DISTRICT \(BEN: 133013\)](#)

**Created By** Shaneka Bratton

**Created On** 9/11/2018 3:53 PM EDT

## Main Contact

**Name** Shaneka Bratton

**Email** sbratton@e-ratecentral.com

**Phone Number** 516-801-7806

## Narrative

Per Sections, 54.719 through 54.721 of the Commission's Rules, Madison Metro School District (MMSD) appeals a Commitment Adjustment by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator). On July 13th, 2018 the Administrator issued a Commitment Adjustment Letter citing "Failure to post a FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471"(See Attachment 1).

We appeal this decision because the Requests for Bid (RFB) which was attached to the certified Form 470 clearly states that the School district wishes to obtain bids for the equipment and the corresponding basic maintenance. We have highlighted this the in the RFB attached. (See Attachment 2, page 7)

Additionally, the school district set forth a clear, fair and competitive bidding platform by submitting an RFB to explain in detail the equipment and services requested. Each vendor who wished to submit a bid in response to the form 470 would have had to read the RFB in its entirety to provide a complete proposal in response the Form 470 and RFB submitted for the desired equipment and services list on Form 471 161056119.

In conclusion, We believe the information included, and its attachments demonstrate the districts full intent to purchase Basic Maintenance services for the equipment needed within MMSD and that each vendor who wanted to provide a proposal at that time had this information available to them. Therefore we respectfully ask that the administrator overturns its decision to adjust the commitment for Funding Request 1699131205 and do not move forth with seeking the return of any funding disbursed which will financially harm the school district.

## Appeal Details

**Decision appealed by applicant** Notification of Commitment Adjustment Letter

If you wish to modify or cancel your appeal, or, if you have any questions about your appeal, please contact the E-rate Program's Client Service Bureau (CSB) at (888) 203-8100.

[View Supporting Documentation \(-\)](#)

## Supporting Documentation

Document ID	Document	Description	Upload Stage	Uploaded By	Uploaded On
42165	<a href="#">Attachment 1 - MMSD Commitment Adjustment Letter.pdf</a>	COMAD sent to MMSD from USAC	Intake	Shaneka Bratton	9/11/2018 3:53 PM EDT
42166	<a href="#">Attachment 2 - MMSD FY C2 RFB.pdf</a>	Attached RFB	Intake	Shaneka Bratton	9/11/2018 3:53 PM EDT



October 24, 2018

# Revised Funding Commitment Decision Letter

## Funding Year 2016

**Contact Information:**

Mark Anderson  
MADISON METRO SCHOOL DISTRICT  
545 W DAYTON ST  
MADISON, WI 53703  
[msanderson2@madison.k12.wi.us](mailto:msanderson2@madison.k12.wi.us)

**BEN:** 133013**Post Commitment Wave:** 65

## Totals

Original Commitment Amount	\$66,932.40
<b>Revised Commitment Amount</b>	<b>\$0.00</b>

## What is in this letter?

Thank you for submitting your post-commitment request for **Funding Year 2016 Schools and Libraries Program (E-rate) funding**. Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received. Below are the changes that were made:

- Appeals

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

## Next Steps

1. **File the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if you have not already done so. Please review the CIPA requirements and file the form(s).



**BEN Name:** MADISON METRO SCHOOL DISTRICT

**BEN:** 133013

**Post Commitment Wave:** 65

- o **If USAC approved funding on an FRN in your original FCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of the original FCDL or from the service start date (whichever is later).
  - o **If a new FRN was created for this RFCDL or funding was not approved on an FRN in your original FCDL but is approved in this RFCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of this RFCDL or from the service start date (whichever is later).
2. **Invoice USAC**, if you or your service provider have not already done so. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying your bills in full.
- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
  - **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
  - **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

## How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

**Note:** The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request,



**BEN Name:** MADISON METRO SCHOOL DISTRICT

**BEN:** 133013

**Post Commitment Wave:** 65

identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).

## **Obligation to Pay Non-Discount Portion**

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

## **Notice on Rules and Funds Availability**

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



**BEN Name:** MADISON METRO SCHOOL DISTRICT

**BEN:** 133013

**Post Commitment Wave:** 65

## Revised Funding Commitment Decision Overview

### Funding Year 2016

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1699131205	Goldfield Telecom	Appeals	\$0.00	Denied



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<b>Post Commitment Request Number:</b> 122210	<b>Post Commitment Request Type:</b> Appeals	<b>Post Commitment Decision:</b> Denied
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<b>FRN:</b> 1699131205	<b>Service Type:</b> Basic Maintenance of Internal Connections	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
<b>FCC Form 471: 161056119</b>			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$0.00	
Discount Rate		80.00%	
Revised Committed Amount		\$0.00	

Dates		Service Provider and Contract Information	
Service Start Date	7/1/2016	Service Provider	Goldfield Telecom
Contract Expiration Date	6/30/2021	SPIN (498ID)	143044199
Contract Award Date	5/23/2016	Contract Number	
Service Delivery Deadline	9/30/2017	Account Number	
Expiration Date (All Extensions)		Establishing FCC Form 470	160038746

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

<b>Revised Funding Commitment Decision Comments:</b>
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<b>Post Commitment Rationale:</b>
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The FCC Form 470 that established the competitive bidding process for this FRN did not include service of this type; therefore it does not meet the 28 day competitive bidding requirement. FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into a legally binding agreement or signing a contract, and signing and submitting an FCC Form 471. See 47 C.F.R. secs. 54.503(b) and (c), 54.511(a). These competitive bidding requirements help to ensure that applicants





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receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997).